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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,424	10/18/2005	Masashi Tamura	1163-0536PUS1	1484
2592 7590 11/25/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747			EXAMINER	
			NEWMAN, MICHAEL A	
FALLS CHURCH, VA 22040-0747			ART UNIT	PAPER NUMBER
			2624	
			NOTIFICATION DATE	DELIVERY MODE
			11/26/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)				
Examiner-Initiated Interview Summary	10/553,424	TAMURA ET AL.				
Examiner-initiated interview Summary	Examiner	Art Unit				
	MICHAEL A. NEWMAN	2624				
All Participants: Status of Application:						
(1) MICHAEL A. NEWMAN. (3) Naphtali Matlis (Reg. No. 61,592).						
(2) Matthew C. Bella.	(4)					
Date of Interview: 18 November 2008	Time: 2:25pm (EST)					
Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applicat ☐ Personal (Copy given to: ☐ Applicant ☐ Applicat ☐ No ☐ No ☐ No	ant's representative)					
Part I.						
Rejection(s) discussed: The 35 U.S.C. 102 rejection of claims 1 - 4, and the 35 U.S.C. 103 rejection of claims 5 - 9.						
Claims discussed: 1 - 9						
Prior art documents discussed: Kotaki et al. (U.S. Patent No. 5,200,841), "Kotaki", Atkinson (U.S. Patent No. 6,961,476), "Atkinson"						
Part II. SUBSTANCE OF INTERVIEW DESCRIBING THE GENE See Continuation Sheet	RAL NATURE OF WHAT WAS	S DISCUSSED:				
Part III.						
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability. ☑ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.						
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/Matthew C Bella/ Supervisory Patent Examiner, Art Unit 2624						
(F	Applicant/Applicant's Representat	ive Signature – if appropriate)				

Application No. 10/553,424

Continuation of Substance of Interview including description of the general nature of what was discussed:

This is a summary of the substance of a series of telephonic conversations the last of which took place on November 18th, 2008. Applicant's Representative was advised that the remarks submitted on June 19th, 2008, regarding the rejection under 35 U.S.C. 102 of claims 1, 3 and 4 (and also applicable to the 35 U.S.C. 103 rejection of claim 8) were persuasive in differentiating the claims over the prior art. Claims 1 - 4 and 8 thus appeared to be in condition for allowance. Applicant's Representative was also advised that the remarks, regarding the rejection under 35 U.S.C. 103 of claims 5 - 7 and 9, were not persuasive and that the rejection was proper and being maintained. Specifically, the reasoning, previously summarized in the Interview Summary mailed May 9th, 2008 (Paper No. 20080430), regarding the interpretation of the term "feature value", was maintained. However, Applicant's Representative submitted that the interpretation was inconsistent with the definition recited in the specification. Applicant's Representative was advised that although the claims are examined in light of the specification, it is improper to import limitation from the specification into the claims. Applicant's Representative was thus advised to either explicitly define the term 'feature value' in the claims or to cancel claims 5 - 7 and 9 to quickly place the case in condition for allowance. Applicant's Representative was thus advised to either explicitly define the term 'feature value' in the claims or to cancel claims 5 - 7 and 9 to quickly place the case in condition for allowance. Applicant's Representative declined, indicating that they would proceed to appeal the rejections of claims 5 - 7 and 9.